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SEP 01 2004

September 1, 2004

Via Facsimile to (703) 872-9306

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Applicants: David H. Davies; David Blankenbeckler; Michael Braitberg
Assignee: DataPlay, Inc.
Title: First-Side Dual-Layer Optical Storage Disk And Method Of Manufacturing The Same
Application No.: 09/764,042 Filing Date: January 16, 2001
Examiner: Martin J. Angebrannt Group Art Unit: 1736
Docket No.: M-9998 US Confirmation No.: 5686

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

- (1) This Transmittal Letter (1 page);
- (2) Petition for Extension of Time (1 page);
- (3) Claim of Small Entity Status (1 page);
- (4) Response to Office Action (13 pages); and
- (5) Attachment to office action (5 pages).



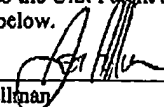
No additional fee is required.




The fee has been calculated as shown below:

CLAIMS AS AMENDED

	<u>Claims Remaining After Amendment</u>		<u>Highest No. Previously Paid For</u>		<u>Present Extra</u>	<u>Rate</u>	<u>Additional Fee</u>
Total Claims	32	Minus	57	=	0	x \$ 9.00	\$ - 0 -
Independent Claims	2	Minus	2	=	0	x \$43.00	\$ - 0 -
<input type="checkbox"/>	Fee of \$145.00 for the first filing of one or more multiple dependent claims per application						\$
<input checked="" type="checkbox"/>	EXTENSION OF TIME FEE (3 months for Small Entity)						\$ 475.00
	<u>Total additional fee for this Amendment:</u>						\$
<input checked="" type="checkbox"/>	Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested.						
<input checked="" type="checkbox"/>	Please charge our Deposit Account No. 50-2257 in the amount of						\$ 475.00
<input checked="" type="checkbox"/>	Also, charge any additional fees required and credit any overpayment to our Deposit Account No. 50-2257						
	Total:						\$ 475.00

Certification of Facsimile Transmission
I hereby certify that this paper is being facsimile
transmitted to the U.S. Patent and Trademark Office on the
date shown below.

Jonathan Hallman
September 1, 2004
Date of Signature

Respectfully submitted,


Jonathan W. Hallman
Attorney for Applicants
Reg. No. 42,622

SEP 01 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David H. Davies; David Blankenbeckler; Michael Braitberg
Assignee: DPHI Acquisitions, Inc.
Title: First-Side Dual-Layer Optical Storage Disk and Method of Manufacturing The Same
Serial No.: 09/764,042 Filing Date: January 16, 2001
Examiner: Martin J. Angebrannt Group Art Unit: 1756
Docket No.: M-9998 US Confirmation No.: 5686

Irvine, California
September 1, 2004

Via Facsimile to (703) 872-9306

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR EXTENSION OF TIME

Dear Sir:


Applicants respectfully petition for a 3-month extension of time within which to respond to the March 18, 2004 outstanding Office Action, such extension allowing the undersigned until September 18, 2004 to respond.

Please charge the fee of \$475.00 for a small entity to the undersigned's Deposit Account as authorized on the Transmittal Letter accompanying this petition.


If there are any questions, please call the undersigned at (949) 752-7040.

Certification of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.


Jon Hallman
September 1, 2004
Date of Signature

Respectfully submitted,


Jon W. Hallman
Attorney for Applicant(s)
Reg. No. 42,622

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